

REMARKS

Applicant has carefully reviewed and considered the Final Office Action of March 9, 2006. In response to the outstanding office action, Applicant withdraws the outstanding request to amend the specification and insert FIG. 4. In addition, Applicant has canceled claims 9, 12, 13, 18 and 19. Further, Applicant has amended claims 6, 8, 10, 11, 14, 15, 16, and 17 to more particularly point out and claim the disclosed invention in accordance with the original disclosure. Furthermore, Applicant respectfully traverses the anticipation rejection made in the outstanding office action, and requests the issuance of a timely notice of allowance in view of the remarks that follow.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as anticipated by Guzman-Casillas et al (USPN 6,028,754) ("the '754 reference"). The '754 reference discloses a system for calculating a trip signal based on dynamically modifying the reach of a protective relay in response to the detection of a fault. In addition, the '754 reference discloses the use of delay elements to avoid tripping in response to a transient. However, Applicant disagrees with the assertion that the '754 reference discloses the use of a filter to obtain smoothing or noise reduction of a measured signal. FIG. 6 of the '754 reference shows timer element 66 coupled to the output of digital gate 64. As explained in the specification, when the output of gate 64 transitions from low to high, timer 66 is activated. The duration of the timer is selected to effectively avoid consideration of the monitored signal until any transient in the monitored signal has passed. This is accomplished by preventing the output of AND gate 68 from transitioning until the expiration of timer 66. The measured signal is not conditioned in any way by the operation of timer 66. Therefore, Applicant respectfully submits that timer 66 cannot perform a filtering function. As all elements

of claim 1 are not disclosed by the '754 reference, claim 1 should be allowed. As claims 2, 3, 5, 6 and 7 are dependent on claim 1, they should be allowed as well.

Claims 8, 10, 11, 14, 15, 16, and 17 stand rejected under 35 U.S.C. § 112. Applicant has amended such claims to remove any reference to the material submitted in the last response.

Applicant respectfully submits that the cited claims are now fully supported by the specification as originally submitted, and therefore, should be allowed.

CONCLUSION

Applicant respectfully submits that in view of the cancellation of claims 9, 12, 13, 18, and 19, the amendments to claims 6, 8, 10, 11, 14, 15, 16, and 17, and the argument submitted, this application is now in condition for allowance. Applicant therefore requests issuance of a timely notice of allowance. However, should Examiner be of the opinion that further amendment or response is required; Applicant encourages Examiner to contact the undersigned attorney at the telephone number set forth below. Further, although no additional fees are believed to be due at this time, the Commissioner is authorized to charge any additional fees or deficiencies or credit any overpayments to Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Deposit Account No. 50-1039 with reference to attorney docket number (1444-0093).

Respectfully submitted,

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